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Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

15 GLENN RUSSELL BABROS,)	CIVIL NO. 2:24-cv-01811-AC
16 Plaintiff,)	
17 v.)	STIPULATION TO VOLUNTARY
18 MARTIN O'MALLEY,)	REMAND PURSUANT TO SENTENCE
19 Commissioner of Social Security,)	FOUR OF 42 U.S.C. § 405(g) AND TO
20 Defendant.)	ENTRY OF JUDGMENT; [PROPOSED]
)	ORDER

21 IT IS HEREBY STIPULATED by and between the parties, through their undersigned
22 attorneys, and with the approval of the Court, that this action be remanded for further
23 administrative action pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C.
24 § 405(g), sentence four. On remand, the Appeals Council will remand the case to an
25 administrative law judge (ALJ) for a new decision. The Appeals Council will instruct the ALJ to
26 reevaluate the medical opinion evidence, and take further action to complete the administrative
27 record, as warranted. The parties further request that the Court direct the Clerk of the Court to
28

1 enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of
2 the Commissioner.

3 Respectfully submitted,

4
5 DATE: September 3, 2024

/s/ Francesco P. Benavides*

6 FRANCESCO P. BENAVIDES

Attorney for Plaintiff

*Authorized via e-mail on September 3, 2024

8 PHILLIP A. TALBERT

9 United States Attorney

10 MATHEW W. PILE

Associate General Counsel

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11
12 DATE: August 23, 2024

By: /s/ Jennifer Lee Tarn

13 JENNIFER LEE TARN

14 Special Assistant United States Attorney


Office of Program Litigation, Office 7

15 Attorneys for Defendant

16 **[PROPOSED] ORDER**

17
18 Based upon the parties' stipulation to Voluntary Remand Pursuant to Sentence Four of 42
19 U.S.C. § 405(g) and to Entry of Judgment, and for cause shown, IT IS ORDERED that the
20 above-captioned action is remanded to the Commissioner of Social Security for further
21 proceedings pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g),
22 sentence four. On remand, the Appeals Council will remand the case to an administrative law
23 judge for a new decision in accordance with the parties' Stipulation.

24 DATED: September 5, 2024

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26 ALLISON CLAIRE
27 UNITED STATES MAGISTRATE JUDGE
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